

09-22051

6305

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/746660-Conf. #1463	
	Filing Date	December 22, 2000	
	First Named Inventor	Gregor Haberhauer	
	Art Unit	1635	
	Examiner Name	J. Zara	
Total Number of Pages in This Submission	1	Attorney Docket Number	BGI-121CP2

RECEIVED

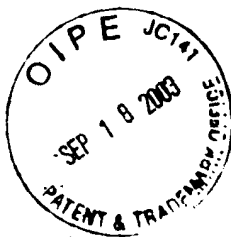
SEP 25 2003

TECH CENTER 1800/2900

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	LAHIVE & COCKFIELD, LLP Lisa M. DiRocco - 51,619
Signature	
Date	September 18, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 309 882 938 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: September 18, 2003	Signature: Lisa M. DiRocco



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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,970.00

Complete if Known

Application Number 09/746660-Conf. #1463
Filing Date December 22, 2000
First Named Inventor Markus Pompejus
Examiner Name J. Zara
Art Unit 1635
Attorney Docket No. BGI-121CP2

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 12-0080

Deposit Account Name Lahive & Cockfield, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra	Fee from		Fee Paid
		Claims	below		
Total Claims	<input type="text"/>	** = <input type="text"/>	x <input type="text"/>	= <input type="text"/>	
Independent Claims	<input type="text"/>	** = <input type="text"/>	x <input type="text"/>	= <input type="text"/>	
Multiple Dependent				= <input type="text"/>	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	1,970.00
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,970.00

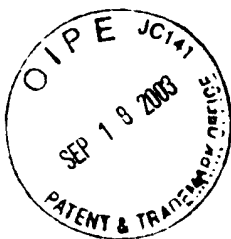
SUBMITTED BY

Name (Print/Type) Lisa M. DiRocco Registration No. 51,619 Telephone (617) 227-7400
Signature [Signature] Date September 18, 2003

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Dated: September 18, 2003

Signature [Signature] (Lisa M. DiRocco)



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Dated: September 18, 2003 Signature: _____

(Lisa M. DiRocco)

Docket No.: BGI-121CPZ
(PATENT)
SEP 26 2003

TECH CENTER 1600/2994

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Markus Pompejus, *et al.*

Application No.: 09/746660

Confirmation No.: 1463

Filed: December 22, 2000

Art Unit: 1635

For: CORYNEBACTERIUM GLUTAMICUM
GENES ENCODING METABOLIC
PATHWAY PROTEINS

Examiner: J. Zara

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is in response to the Restriction Requirement dated March 26, 2003

(Paper No. 13).

Election/Restriction

The Examiner has required restriction between:

- I. Claims 1-19, 23, 27, drawn to nucleic acids and host cells, classified in class 536, Subclass 23.5.
- II. Claims 20-22, 24-27, drawn to polypeptides, classified in class 530, subclass 350.
- III. Claims 28, 29-40, drawn to methods of producing fine chemicals, classified in class 435, subclass 487.
- IV. Claims 41-47, drawn to methods of modulating yield of fine chemical, classified in class 435, subclasses 6 and 487.

Applicants hereby elect Group III (claims 28 and 29-40), *without traverse*, under 35 U.S.C. §121 for prosecution in the present application.

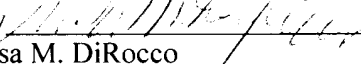
Application No.: 09/746660

Docket No.: BGI-121CP2

Applicants believe no fees are due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. BGI-121CP2, from which the undersigned is authorized to draw.

Dated: September 18, 2003

Respectfully submitted,

By 
Lisa M. DiRocco
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(617) 742-4214 (Fax)
Attorney For Applicants